IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL MISC. APPEAL No. 1483 of 2004

SMT. SHANTI DEVI
V/S
ASHOK KUMAR & ANR

Mr. RR NAGORI, for the appellant / petitioner

Date of Order : 15.3.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

By the impugned order, the learned trial Court has made provisional determination of the rent under Section 13(3) of the Rajasthan Premises (Control of Rent and Eviction) Act, 1950. This order was passed on 10.12.2003. Learned counsel informs that the suit has thereafter registered material progress. In these circumstances, instead of going into the merits of the impugned order, I think it better to direct to learned trial Court to decide the suit most expeditiously, and in deciding the suit, the question of rent shall obviously be decided on the basis of the evidence that comes on record without in any manner being obsessed by the observations made in the impugned order.

The appeal is, therefore, disposed of with the aforesaid observations.

(N P GUPTA),J.

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